

102403

17589 U.S. PTO

PTO/SB/05 (08/03)

Approved for use through 07/31/2006. OMB 0651-0032

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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 1.22 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

62004-1791

First Inventor

Frost

Title

APPARATUS AND METHOD FOR DETERMINING IN SITU  
PORE, FLUID AND SOIL PROPERTIES USING MULTI-  
SENSOR MEASUREMENT SYSTEMS

Express Mail Label No.

EV 269335389 US

**APPLICATION ELEMENTS**

See MPEP Chapter 600 concerning utility patent application contents

**ADDRESS TO:**Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

1. ☐ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original, and a duplicate for fee processing)
2. ☐ Applicant claims small entity status. See CFR 1.27
3. ☒ Specification (preferred arrangement set forth below) [Total Pages **37**]
- Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed. Sponsored R&D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 USC 113) [Total Sheets **12**]
5. Oath or Declaration [Total Pages **4**]
- a. ☐ Newly Executed (original or copy)
- b. ☐ Copy from a prior application (37 CFR §1.63(d))  
(for continuation/divisional with Box 18 completed)
- i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s)  
named in the prior application,  
see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
- a. ☐ Computer Readable Copy (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ Paper
- c. ☐ Statements verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9. ☐ Assignment Papers (cover sheet & Documents(s))
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i).  
Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No: **09/907,412**

Prior application information: Examiner: **Robert R. Raevis**Group / Art Unit: **2856**

For CONTINUATION OR DIVISIONAL APPS only: the entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. This incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

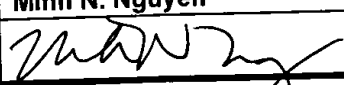
**18. CORRESPONDENCE ADDRESS**

Customer Number:

**24504**

OR

☐ Correspondence address below:

NAME	Minh N. Nguyen Thomas, Kayden, Horstemeyer & Risley, L.L.P.		
ADDRESS	100 Galleria Parkway Suite 1750		
CITY	Atlanta	STATE	Georgia
COUNTRY	U.S.A.	TELEPHONE	770-933-9500
ZIP CODE	30339-5948		
FAX	770-951-0933		
Name (Print/Type)	Minh N. Nguyen	Registration No. (Attorney/Agent)	53,864
Signature		Date	10/24/03

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 1.22 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Frost, *et al.*For: APPARATUS AND METHOD FOR DETERMINING *IN SITU* PORE FLUID AND  
SOIL PROPERTIES USING MULTI-SENSOR MEASUREMENT SYSTEMS

## CERTIFICATE OF EXPRESS MAIL

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Enclosed for filing in the above case are the following documents:

Return Postcard  
Utility Patent Application Transmittal Page  
Utility Patent Application Consisting Of:  
31 Pages of Specification  
5 Pages of Claims (Claims 1-23)  
1 Page of Abstract  
12 Pages of Formal Drawings (Fig(s). 1-12)  
Declaration and Power of Attorney (Unexecuted)Further, the Commissioner is authorized to charge Deposit Account No. for any additional  
fees required. The Commissioner is requested to credit any excess fee paid to Deposit Account  
No. .

Respectfully submitted,

Minh N. Nguyen, Reg. No. 53,864

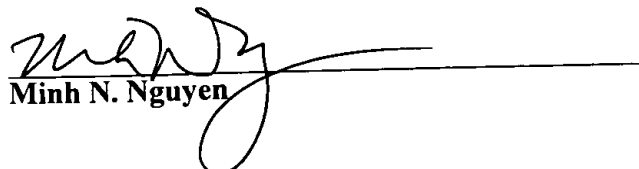
THOMAS, KAYDEN, HORSTEMEYER  
& RISLEY, L.L.P.100 Galleria Parkway, N.W.  
Suite 1750  
Atlanta, Georgia 30339-5948

Our Docket No: 62004-1791

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I hereby certify that all correspondence listed above are being deposited for delivery to  
the above addressee, with the United States Postal Service "EXPRESS MAIL POST OFFICE  
TO ADDRESSEE" service under 37 CFR §1.10 on the date indicated below:The envelope has been given U.S. Postal Service "Express Mail Post Office To  
Addressee" Package #EV 269335389 US.

Date: 10/24/03

  
Minh N. Nguyen